

ORDINANCE NO. 2014-18

AN ORDINANCE AMENDING CHAPTERS 14 AND 15 AS THEY RELATE TO ENVIRONMENTAL HEALTH PLAN REVIEW AND PLAN REVIEW FEES FOR LICENSED BODY ART, FOOD, LODGING, THERAPEUTIC MASSAGE, PUBLIC SWIMMING POOLS AND TANNING ESTABLISHMENTS, WITH NEW FEE CATEGORIES FOR HACCP PLAN REVIEW, ANNUAL HACCP AUDITS AND PUBLIC POOL SEASONAL OPENING REINSPECTIONS.

The City Council of the City of Bloomington hereby ordains:

Section 1. That Chapter 14 of the City Code is hereby amended by deleting those words that are in ~~strike through~~ font contained in brackets [] and adding those words that are underlined, to read as follows:

CHAPTER 14

LICENSES AND PERMITS

ARTICLE I. GENERAL PROVISIONS

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SEC. 14.03. FEES.

Except as otherwise stated in this Code, the fees for the various licenses and permits shall be as hereinafter stated.

License/Permit	Required by Section	Annual Fee
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Body art		
(A) Establishments	14.378	625.00
(B) Technician Registration	14.378	31.00
(C) Temporary Body Art Events	14.389	47.00 per booth
(D) Temporary Body Art Technician Registration	14.389	31.00
(E) <u>Plan Review, new and 50% or more remodel</u>		<u>Equal to annual Establishment license</u>
(F) <u>Plan Review, less than 50% remodel</u>		<u>Equal to ½ annual Establishment license</u>
(G) <u>Expedited Plan Review</u>		<u>Equal to double the Plan Review fee</u>
* * *		
Food Establishments	14.443	
(A) Type I Establishment, a large high-risk food establishment serving on average 500 or more meals per day; having 175 or more seats; or having 500 or more customers per day		
(1) Food service or retail food establishment		1,100.00

(2)	School, kindergarten through grade 12	550.00
(3)	Daycare Center or Preschool	550.00
(B)	Type II Establishment, a small high-risk food establishment serving on average fewer than 500 meals per day; having fewer than 175 seats; or having fewer than 500 customers per day	
(1)	Food service or retail food establishment	885.00
(2)	School, kindergarten through grade 12	442.50
(3)	Daycare Center or Preschool	442.50
(C)	Type III Establishment, a medium risk food establishment serving mainly non-potentially hazardous foods and potentially hazardous foods prepared elsewhere and only heated or held cold onsite; or serving or retailing foods such as pizza carryout or delivery, requiring handling followed by heat treatment	
(1)	Food service or retail food establishment	550.00
(2)	School, kindergarten through grade 12	275.00
(3)	Daycare Center or Preschool	275.00
(D)	Type IV Establishment, a food establishment with minimal food handling such as preparing coffee, hot dogs, blended or mixed drinks, packaged foods customers heat onsite, continental breakfasts, unpackaged baked goods made elsewhere	
(1)	Food service or retail food establishment	334.00
(2)	School, kindergarten through grade 12	167.00
(3)	Daycare Center or Preschool	167.00
(E)	Type V Establishment, a food establishment with non-potentially hazardous food or food products sold in the original packaging	
(1)	Food service or retail food establishment	220.00
(2)	School, kindergarten through grade 12	110.00
(3)	Daycare Center or Preschool	110.00
(F)	Supplemental Facility	
(1)	High Supplemental Facility (like Type I and II)	220.00
(2)	Medium Supplemental Facility (like Type III and IV)	167.00
(3)	Catering Supplemental Facility (for Food Catering Vehicle(s) and equipment)	167.00
(4)	Low Supplemental Facility (like Type V)	110.00
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(J)	<u>Plan Review, new and 50% or more remodel</u>	<u>Equal to twice the annual license</u>
(K)	<u>Plan Review, less than 50% remodel</u>	<u>Equal to annual license</u>
(L)	<u>Expedited Plan Review</u>	<u>Equal to double the Plan Review fee</u>
(M)	<u>Food Equipment upgrade/replacement only or onsite consultation</u>	<u>200.00</u>
(N)	<u>HACCP Plan Review, new</u>	<u>220.00</u>
(O)	<u>Annual HACCP Audit</u>	<u>110.00</u>
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Lodging Establishments	14.443	
(A) Hotel/motel		
(1) Each guestroom		9.75
(B) Lodging House, lodging accommodation for 5 or more regular roomers, no food provided		
(1) Five to 25 beds		220.00
(2) 26 or more beds, each bed		9.75
(C) Small Boarding House, food and lodging accommodations for 5 to 10 regular boarders. Food license included.		
(1) Five to 10 beds		220.00
(D) Large Boarding House, food and lodging accommodations for 11 or more. A separate food license is required.		
(1) 11 to 25 beds		220.00
(2) 26 or more beds, each bed		9.75
(E) Bed and Breakfast, food license is included		220.00
(F) <u>Plan Review, new and 50% or more remodel</u>		<u>Equal to annual license</u>
(G) <u>Plan Review, less than 50% remodel</u>		<u>Equal to ½ annual license</u>
(H) <u>Expedited Plan Review</u>		<u>Equal to double the Plan Review fee</u>

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Massage		
(A) Therapeutic massage enterprise	14.262	570.00
(B) Therapist	14.262	31.00
(C) Temporary therapist	12.262	31.00
(D) Renewal of therapist license		16.00
(E) Duplicate therapist	14.262	7.00
(F) <u>Plan Review, new and 50% or more remodel</u>		<u>Equal to annual Establishment license</u>
(G) <u>Plan Review, less than 50% remodel</u>		<u>Equal to ½ annual Establishment license</u>
(H) <u>Expedited Plan Review</u>		<u>Equal to double the Plan Review fee</u>

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Public Swimming Pools	14.443	
(A) Indoor		
(1) First pool		334.00
(2) Each additional pool		167.00
(B) Outdoor		
(1) First pool		334.00
(2) Each additional pool		167.00
(C) School, K through grade 12, pools		
(1) First pool		167.00
(2) Each additional pool		83.50

(D) <u>Pool opening reinspection fee, operator makes an appointment for an inspection, but pool is not ready to open</u>	100.00
(E) <u>Plan Review, 50% or more remodel, replacing equipment, fencing, decking or remodeling areas not specifically requiring plan review by the state</u>	Equal to annual license
(F) <u>Plan Review, less than 50% remodel</u>	Equal to ½ annual license
(G) <u>Expedited Plan Review</u>	Equal to double the Plan Review fee

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Tanning [facilities]	14.371	[119.00]
(A) <u>Facilities</u>		119.00
(B) <u>Plan Review, new and 50% or more remodel</u>		Equal to annual Establishment license
(C) <u>Plan Review, less than 50% remodel</u>		Equal to ½ annual Establishment license
(D) <u>Expedited Plan Review</u>		Equal to double the Plan Review fee

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Division K. Massage

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SEC. 14.261. DEFINITIONS.

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Remodel - any change to the current therapeutic massage enterprise requiring either a building or trades permit for the work to proceed. Remodel does not include changes to the front desk area, waiting area, painting, wallpapering, or carpeting, even if a permit is otherwise required. Adding a new massage station or area, plumbing changes, or expanding into an adjacent space to add massage stations or areas are examples of remodeling. Remodeling also means any changes to a therapeutic massage enterprise plan previously submitted to the City.

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SEC. 14.270. RESTRICTIONS REGARDING SANITATION AND HEALTH.

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- (d) **Plan Review.** Any new or remodeled therapeutic massage enterprise must submit for approval by the Environmental Health Division a to-scale facilities plan in sufficient detail to ascertain compliance with conditions in this ordinance and pay the corresponding plan review fee listed in Section 14.03.
- (e) **Construction Inspections.** The therapeutic massage enterprise must be constructed in conformance with the approved plans. The Building and Inspection Division will not issue a building permit for a new therapeutic massage enterprise or remodeling or alteration permit for an existing facility until such plans have the approval of the Environmental Health Division. The Environmental Health Division will inspect the therapeutic massage enterprise as frequently as necessary during the construction to ensure that the construction occurs in conformance with this Division of the City Code. The Environmental Health Division will conduct a final construction inspection prior to the start of operations and issuance of a license.

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Division S. Tanning Facilities

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SEC. 14.370. DEFINITIONS.

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Remodel - any change to the current tanning facility requiring either a building or trades permit for the work to proceed. Remodel does not include changes to the front desk area, waiting area, painting, wallpapering, or carpeting, even if a permit is otherwise required. Adding a new tanning bed or stall, plumbing changes, or expanding into an adjacent space to add beds or stalls are examples of remodeling. Remodeling also means any changes to a tanning facility plan previously submitted to the City.

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SEC. 14.372. PERFORMANCE STANDARDS.

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- (c) Any new or remodeled tanning facility must submit for approval by the Environmental Health Division a to-scale facilities plan in sufficient detail to ascertain compliance with conditions in this ordinance and pay the corresponding plan review fee listed in Section 14.03.
- (d) The tanning facility must be constructed in conformance with the approved plans. The Building and Inspection Division will not issue a building permit for a new tanning facility or remodeling or alteration permit for an existing facility until such plans have the approval of the Environmental Health Division. The Environmental Health Division will inspect the tanning facility as frequently as necessary during the construction to ensure that the construction occurs in conformance with this Division of the City Code. The Environmental Health Division will conduct a final construction inspection prior to the start of operations and issuance of a license.

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Division T. Body Art Establishments

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SEC. 14.387. INSPECTIONS AND PLAN REVIEW.

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- (b) **Construction Inspections.** The body art establishment shall be constructed in conformance with the approved plans. The Building and Inspection Division shall not issue a building permit for a body art establishment or remodeling or alteration permit for such establishment until such plans have the approval of the Health Authority and the plan review fee from Section 14.03 has been received. The Health Authority shall inspect the body art establishment as frequently as necessary during the construction to ensure that the construction occurs in conformance with this Division. The Health Authority shall conduct a final construction inspection prior to the start of operations and issuance of a license.

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ARTICLE V. FOOD ESTABLISHMENT, LODGING ESTABLISHMENT AND PUBLIC POOL REGULATIONS

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SEC. 14.455. PLAN REVIEW.

Construction shall not commence on any new or remodeled food establishment or lodging establishment, or any existing structure converted to a food establishment or lodging establishment until the Health Authority has reviewed and approved the plans and specifications. Those construction projects being expedited under the fast track building permit process, shall not have any equipment or floor, wall or ceiling finish materials installed until the Health Authority has reviewed and approved the plans and specifications.

- (a) **Building Permits and Planning Approval.** No structure of any kind shall be erected until the plans and arrangements of building, passageways, street and parking spaces have been first approved by the Planning and Building and Inspection Divisions. Building permits shall be issued for such structural work.

- (b) **Submission of Plans.**
- (1) ~~[Three]~~Two complete sets of plans and specifications shall be submitted to the Health Authority for review.
 - (2) One full set of plans approved by the Health Authority shall be maintained on site of the construction project.
 - (3) All building, electrical, plumbing and HVAC plans as applicable must be submitted to the Building and Inspection Division and the Health Authority.
- (c) **Plan Review Fees.** Fees for plan review by the Health Authority of new or remodeled food establishments, lodging establishments and public pools shall be those set by the City in Section 14.03. If work has commenced prior to approval of construction or remodeling plans, additional fees may be assessed.

Section 2. That Chapter 15 of the City Code is hereby amended by deleting those words that are in ~~strike through~~ font contained in brackets [] and adding those words that are underlined, to read as follows:

CHAPTER 15

BUILDINGS AND STRUCTURES

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ARTICLE IX. LICENSES AND PERMITS

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Division B. Licenses and Permits; General

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SEC. 15.193. ~~[FOOD EQUIPMENT PERMIT FEES.]~~RESERVED.

~~[(a) Fees for food equipment permits shall be paid to the Issuing Authority as set forth below:~~

Total Valuation	Fee
\$1.00 to \$5,000.00	\$50.00
\$5,001.00 to \$25,000.00	\$50.00 for the first \$5,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$125.00 for the first \$25,000.00 plus \$3.75 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$218.75 for the first \$50,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$343.75 for the first \$100,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof.
\$500,001.00 and up	\$1,143.75 for the first \$500,000.00 plus \$1.20 for each additional \$1,000.00 or fraction thereof.

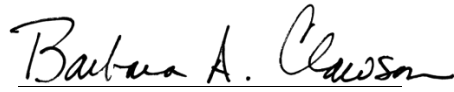
~~[(b) The determination of value shall be made by the Issuing Authority, and the valuation figure shall be the total value of the equipment and the installation thereof.]~~

Passed and adopted this 1st day of December, 2014.

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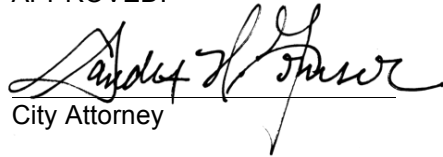
Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Barbara A. Clawson", written over a horizontal line.

Secretary to the Council

APPROVED:

A handwritten signature in cursive script, appearing to read "Andy H. Shaw", written over a horizontal line.

City Attorney